

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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STEVEN KOGUT,

Plaintiff,

Index No: 158283/2016

-against-

JANE DOE, and
JOHN DOE and JANE DOE, the names being
fictitious, being accomplices of the named
defendant herein,

**NOTICE TO STATE
COURT OF REMOVAL
TO UNITED STATES
DISTRICT COURT**

Defendants.

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PLEASE TAKE NOTICE that, on October 6, 2016, Defendant JANE DOE filed a Notice of Removal of this case from the Supreme Court of the State of New York, New York County, to the United States District Court for the Southern District of New York.

A copy of the Notice of Removal is attached hereto, and a copy of this Notice and the Notice of Removal will promptly be provided to the Plaintiff in this action in accordance with 28 U.S.C. § 1446(d), thereby effecting removal.

1. By the filing of this Notice with the Clerk of this State Court, together with the attached and corresponding Notice of Removal that was filed in the United States District Court for the Southern District of New York prior, these State proceedings are now REMOVED, by automatic operation of federal law, and this Defendant now formally notifies the Court and all parties of that same fact.

2. Pursuant to the express and specific language of 28 U.S.C. § 1441, *et seq.*, immediately upon the filing of this Notice, with the Clerk of this Court, this case has been already removed; The removal of jurisdiction from this Court is automatic by operation of federal law, and does not require any additional written order from the

District Judge to cause this removal to become “effective” – the removal is an automatic judicial event, and immediate by operation of law.

3. The Notice of Removal to the United States District Court for the Southern District of New York is attached hereto as required by the express language of federal law, as **Exhibit A**.

WHEREFORE, Defendant JANE DOE, by and through her undersigned counsel, notifies the Court and all other parties that this cause is now removed, that this court now has absolutely no jurisdiction for any judgment in this cause, bar none, unless and until the United States District Court may or may not remand, and further moves for all other relief that is just and proper.

DATED: October 6, 2016
New York, New York

Very truly yours,

DEREK SMITH LAW GROUP, PLLC
Attorney for Defendant Jane Doe



Zack Holzberg, Esq.
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TO:
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